

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**IN RE: BIOPURE SECURITIES  
LITIGATION**

**Civil Action No. 03-12628-NG**

**JURY TRIAL DEMANDED**

**PLAINTIFFS' MOTION FOR LEAVE TO AMEND THE COMPLAINT**

Plaintiffs, through their attorneys, hereby move for leave to amend the Complaint. In support thereof, they submit herewith Plaintiffs' Memorandum of Law In Support of Their Motion for Leave to Amend the Complaint and their proposed Second Consolidated Amended Complaint, attached thereto as Exhibit 1.

**REQUEST FOR ORAL ARGUMENT**

Plaintiffs believe that oral argument may assist the Court in deciding the issues raised by this Motion. Therefore, Plaintiffs hereby request that oral argument be scheduled at a time convenient for the Court.

Dated: January 5, 2006

Respectfully submitted,

**SHAPIRO HABER & URMY LLP**

**/s/ Edward F. Haber**

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**Co-Lead Counsel For  
Lead Plaintiff and The Class**

**CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)**

I hereby certify that the parties' counsel conferred in a good faith effort to narrow or resolve the issues raised in this motion. The parties were unable to reach agreement.

**/s/ Edward F. Haber**

Edward F. Haber

**Certificate of Service**

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing ("NEF") and paper copies will be sent to those indicated as nonregistered participants on the 6th day of January, 2006.

**/s/ Edward F. Haber**

Edward F. Haber